

ORCHARD GETS DEATH PENALTY

Sentenced to Execution, but Judge Recommends Stay.

Date Set for May 15—Orchard Broke Down and Wept as He Attempted to Thank Court for Recommendation to Board of Pardons—Judge Believes Orchard.

Boise, Idaho, March 19.—Stating that he believes Harry Orchard, in his testimony in the trials of William D. Haywood and George A. Pettibone for the murder of ex-Governor Frank Steunenberg, told the exact truth, attempting to conceal nothing, Judge Fremont Wood, in the District court yesterday, recommended that the state board of pardons commute Orchard's sentence of death to life imprisonment in the state penitentiary. The sentence of death was pronounced in accordance with the plea of guilty entered by Orchard Tuesday of last week when arraigned. Judge Wood presided at both the Haywood and Pettibone trials.

In sentencing Orchard and recommending the commutation of his sentence, Judge Wood reviewed the case from the time of the killing of Frank Steunenberg to the present.

In regard to the part of Orchard in the trials, Judge Wood said:

"I am more than satisfied that the defendant now at the bar of this court awaiting final sentence has not only acted in good faith in making the disclosures that he did, but that he also testified fully and fairly to the whole truth, withholding nothing that was material and declaring nothing which had not actually taken place."

Judge Wood, after reading his ruling, formally sentenced Orchard and fixed May 15 as the date for the execution. Orchard asked for permission to speak, and it was granted. He thanked the court for the review of the case given, and for the kindly remarks in regard to him. He repeated that he had told the whole truth and that no promise of immunity or of mercy had ever been made to him. Before he had concluded, tears were streaming from his eyes, and he all but broke down as he again, in a broken voice, thanked Judge Wood for his recommendation to the board of pardons.

In Judge Wood's ruling he laid special stress upon the crimes in Idaho and plainly intimated that the end of prosecutions of those believed to have perpetrated them had not come.

IS "INNOCENT PURCHASER."

Harriman is Reported to Have Sold Oregon Land Grant.

Washington, March 19.—It is believed in government circles that a secret contract has been made by the Oregon & California Railroad company, under which it has already agreed to sell the remaining 2,000,000 acres of its grant to one single purchaser, and that a large sum of money has been paid to the railroad company on account by this purchaser. The attention of a representative of the Booth-Kelly Lumber company, who has been contending for an innocent purchaser amendment to the Fulton resolution, was today called to this report, and he remarked: "Then whoever has purchased this land ought to be protected like the rest of us," merely showing that the lumber companies would be willing that the government should make any sacrifice in order to give them a sound title where they now hold a shaky one.

The lumbermen left for home today pretty well disheartened. They were confident when they came here that they would have an easy fight, but developments before the committee were somewhat surprising to them, and privately they admit they are defeated. Nevertheless it is expected that an attempt will be made when the resolution goes into the house to secure the adoption of the innocent purchaser's amendment if the committee reports the resolution as it passed the senate.

Italian Tries Bunco Game.

San Francisco, March 19.—An elaborate bunco game was revealed in Judge Lawlor's court today on the hearing of an application for extradition for Louis Dondero, who is wanted in Victoria, B. C. He is charged with the theft of \$1,400 from Tony Ferravanti. In company with two others, Ferravanti and Dondero were to be partners in buying a farm. All put their money on the table as a guarantee of good faith, but when the valise in which the money was supposed to be was opened by Ferravanti, there was nothing but some newspapers.

Habeas Corpus for Ruef.

San Francisco, March 19.—Late this afternoon the Appellate court granted Abraham Ruef's application for a writ of habeas corpus, making it returnable on Friday, March 20. The writ asks that the district attorney be compelled to show cause why Ruef's bail should not be forthwith reduced to a reasonable amount and the duplicate indictments to the number of about 40 be dismissed. Henty Ach, chief counsel for Ruef, this morning filed another written motion.

Abandon Marine Post.

Honolulu, March 19.—The United States tug Inoquo, which sails tomorrow for Midway to bring back the marine guard of 20 marines located there, has orders to bring back also their stores, munitions and guns, indicating that the marine post there is to be abandoned, after being maintained about four years.

HEARS LABOR'S DEMAND.

Vice President and Speaker Promise Liability Law.

Washington, March 20.—Speaker Cannon and Vice President Fairbanks today announced their belief that the present congress will pass an employers' liability act which will meet and overcome the unconstitutionality of the present law pointed out by the Supreme court of the United States in a recent decision. These statements were made unreservedly by the speaker and guardedly by the vice president to a delegation led by Samuel Gompers, president of the American Federation of Labor, from 87 national and international trade and labor and farmers' organizations assembled in a national conference in this city. The delegation called on the speaker to lay before the house of representatives, through him, a memorial entitled "Labor's Protest to Congress."

The protest submitted by Mr. Gompers and his associates refers to the Supreme Court decision in the hatmakers' case as the "most recent perversion of the intent of a law by the judiciary which the Sherman anti-trust law has been made to apply to labor, although it was an accepted fact that congress did not intend the law so to apply and might even have specifically exempted labor but for the fear that the Supreme court might construe such an affirmative provision to be unconstitutional."

PROTECT TRULY INNOCENT.

But Railroad Land Grant Must First Be Forfeited.

Washington, March 20.—The status of purchasers of granted land in good faith from the Oregon & California Railroad company, and their rights under the law, were set forth in some detail at the hearing before the house committee. The provisions of the grant prohibit sales except to actual settlers in limited quantities and at a limited price. By necessary implication it permits sales of the kind mentioned.

This provision of the grant is a condition subsequent for breach of which the government has right of forfeiture. However, a condition subsequent is not self-executing. Upon the breach of the condition title does not automatically revert to the grantor. So that until the government in some way asserts its rights of forfeiture, title remains unimpaired in the railroad company, with full authority to make sales to actual settlers in the manner provided in the grant. After forfeiture is claimed, no further sales of any kind can be made by the railroad company, if the contention of the government is correct. But all sales made within the terms of the grant will be valid and will be in no way affected either by the Fulton resolution or by any suits that will be commenced.

PLAN NATIONAL APPLE FAIR.

Spokane Proposes to Offer \$100,000 in Premiums.

Spokane, Wash., March 20.—At a meeting of prominent citizens today it was decided to make the big apple show that will be held in Spokane next December a national affair, and such large prizes will be offered that fruit from all parts of the United States will be entered in competition. It is expected that the awards that will be given will attract some of the greatest fruit experts of foreign countries.

To carry out the plan, a corporation to be known as the National Apple Show will be formed with stock amounting to \$100,000, and governed by a board of trustees of seven or nine men. It is anticipated that one of the directors will be Louis W. Hill, president of the Great Northern railroad, who has been requested by wire to accept a position on the board.

It is intended to offer from \$8,000 to \$10,000 in premiums and to make the show an annual affair. Among the leaders are W. D. Vincent, cashier of the Old National bank, and David Brown, president of the Hazelwood company.

Mothers to Meet in Brussels.

Washington, March 20.—The invitation of the Belgian government, extended through Baron Moncheur, the Belgian minister, to the National Mothers' congress to participate in the International congress on the education of the family, to be held in Brussels in 1910, was accepted by the board of managers of the Mothers' society today. Among the delegates appointed to represent the United States were the following: Mrs. Frank B. Hill, Tacoma, Wash.; Mrs. Jefferson D. Gibbs, California; Mrs. F. W. Ashley, Denver.

Asks for Intervention.

Washington, March 20.—The government of the little African republic of Liberia has appealed to America to protect her territorial integrity. The State department has been informed that a delegation is now on its way from Monrovia to Washington to make a personal appeal to the president and Secretary Root to restrain the French from forcibly taking possession of a large part of the country lying in the border between Liberia and French West Africa.

Governor Guild Very Ill.

Boston, March 20.—Governor Guild, who has been ill for two weeks, is in a critical condition. His physician, Dr. B. F. Winslow, found the governor so seriously ill yesterday that it was decided to call two other physicians into consultation.

PROCEEDINGS OF THE SIXTIETH SESSION OF NATIONAL LAWMAKERS

Saturday, March 21.

Washington, March 21.—Almost the entire session of the senate was consumed with consideration of the legislative, executive and judicial appropriation bill. The bill finally passed carried an appropriation of \$32,945,631, the amount added to the house bill by the senate being \$642,718.

Washington, March 21.—Without being materially amended in any form, the fortification appropriation bill was passed by the house today. During the closing debate the War department was criticized by several members regarding the money spent on fortifications at Subig bay, which, it was charged, was wasted, in view of a later recommendation that the defenses at Cavite be strengthened. Criticism likewise was offered to the estimates of the department, which recommended an appropriation of over \$30,000,000, which it was said could not have been expended within ten years.

An amendment by De Armond to allow the secretary of war to buy abroad war materials in "any" quantity was adopted, despite the efforts of Republican floor leaders to marshal sufficient votes to defeat it.

Friday, March 20

Washington, March 20.—The ship subsidy bill was passed by the senate today. It pays to 16-knot vessels plying between this country and South America, the Philippines, Japan, China and Australia, \$4 per mile, the amount awarded by the act of 1891 to vessels of 20 knots only.

The bill was amended so that 12-knot vessels will receive \$2 per mile, which is the allowance under the existing law to 16-knot vessels. Amendments were also adopted providing that, if two or more lines of steamships ply from Atlantic ports to South America under the provisions of the bill, one line shall stop at two ports south of Cape Charles and stipulating that no more shall be paid for subsidies than is received from such service by the government.

A bill was also passed increasing the salaries of men employed in the life-saving service.

Washington, March 20.—More criticism of President Roosevelt was indulged in in the house today, when he was roundly denounced by Hardwick, of Georgia, for failing to send to congress all information regarding corporations which has come into his possession. The president, however, found a ready and vigorous defender in Mr. Mann, of Illinois, who asserted that the president had acted with the utmost good faith in sending congress all the information that had come to him.

The fortification appropriation bill was taken up and in the course of debate upon it, Bartlett, of Georgia, denied the claims of Republicans to credit for authorship of the railroad rate or Sherman anti-trust law. The bill was side tracked for general debate, which continued until adjournment.

Thursday, March 19.

Washington, March 19.—Resuming in the senate today his unfinished speech on the Aldrich currency bill, La Follette directed himself to the charge made in his remarks on Tuesday that the recent financial stringency was started by great bankers and financiers, declaring that since he spoke on Tuesday he had secured additional information proving that his charges were correct.

There was quite a large attendance of Democratic senators in their places, but comparatively few Republicans. Occasionally conversations between senators on the Republican side caused the senator to discontinue the reading of his remarks. On one occasion he remarked: "If there are any comments on my remarks, I would be glad to have them made so audibly that I can hear them."

After speaking for more than two hours and a half, La Follette yielded the floor with the statement that he would resume his speech Monday next.

Washington, March 19.—After several hours of spirited discussion over the proposition to abolish 17 of the 18 United States pension agencies and consolidate pension disbursements in Washington, the house today passed the pension appropriation bill, carrying \$150,869,000, the largest sum ever authorized by this measure. The house, by a vote of 86 to 139, stood by the committee on appropriations and left unchanged its recommendations for one general agency.

Bills were passed authorizing the secretary of war to establish harbor lights in Wilmington harbor, California, and authorizing the cutting of timber, the manufacture and sale of lumber and the preservation of forests on certain Indian lands in Wisconsin.

Wednesday, March 18.

Washington, March 18.—Senator Kayner, of Maryland, announced to the senate today the death of his colleague, William Pinkney Whyte. After adopting the usual resolutions, the senate

Broaden Scope of Schools.

Washington, March 17.—At a meeting of the advisory council and officers of the national congress of mothers held at the White House today, at which President Roosevelt presided, a letter was read from Commissioner of Education Brown, endorsing the movement for which the congress has stood from the beginning, looking to the use of public school buildings for meeting purposes to accomplish an extension of the influence of the schools

adjourned out of respect to the memory of the late senator.

Washington, March 18.—General debate on the pension appropriation bill continued for over four hours in the house of representatives today. The subjects discussed took a wide range—politics, finance, the trusts and the president's last special message all receiving attention.

At 4:24 p. m. the house adjourned out of respect to the memory of the late United States Senator William Pinkney Whyte, of Maryland.

Tuesday, March 17.

Washington, March 17.—The senate late this afternoon without a dissenting voice, confirmed the nomination of John McCourt, of Pendleton, as district attorney for Oregon, thus terminating one of the longest and most bitter patronage fights in the history of Oregon.

Mr. McCourt's commission will be made out immediately and will probably be forwarded by mail tomorrow. Upon its receipt he will take the oath of office and, upon telegraphing the attorney general that he has done so, will be directed by wire to take full charge of the district attorney's office.

Washington, March 17.—The senate committee on finance today voted unanimously to amend the Aldrich financial bill by eliminating railroad bonds as security for national bank circulation. It also decided to amend the bill so as to retain the provision of the present law prohibiting the retirement by national banks of more than \$9,000,000 of circulation in any one month. The committee discussed the proposition of increasing taxation on emergency circulation outstanding more than six months. The rate under the bill as it now stands is 6 per cent. No action was taken on this feature.

Washington, March 17.—The western senators who stood out against the railroad bond feature of the Aldrich currency bill won a signal victory today when the finance committee adopted an amendment eliminating railroad bonds from among the securities that may be used as a basis for the issue of national bank currency.

When the president consulted with the western men ten days ago he found many opposed to the railroad bond clause, including Senators Borah, Bourne and Dixon, and upon probing deeper concluded that they were right. He then informed Senator Aldrich of their position and of his concurrence and at Mr. Aldrich's suggestion the committee acted today.

Monday, March 16.

Washington, March 16.—There was no executive session of the Senate this evening, therefore the nomination of John McCourt as District Attorney was not confirmed.

The judiciary committee today unanimously authorized Senator Fulton to report the nomination favorably. Under the senate rules the report lies over for one day before the confirmation, unless immediate action is necessary by conditions of the service. The senate will undoubtedly confirm the nomination Wednesday.

Washington, March 16.—By the vote of three to two, the subcommittee of the senate committee on judiciary today declared unconstitutional all of the bills intended to remove federal barriers against the states exercising control of their police power for the regulation of the liquor traffic. Hearings on these measures have been held covering almost the entire present session, and the bills were advocated by representatives of practically all the states where there is a strong prohibition sentiment.

The members of the subcommittee are Senators Knox, Nelson, Fulton, Bacon and Rayner.

Washington, March 16.—The fortifications bill, carrying a total appropriation of \$8,210,611, instead of the \$38,443,945 asked for by the war department, was reported today to the house committee on appropriations by Smith of the subcommittee on appropriations. The committee felt that, aside from other considerations, to recommend an appropriation of \$38,000,000 for fortifications at this time would be an action which might very reasonably be construed by Japan as an official declaration that the United States was preparing against a war with that nation. The amount recommended by the committee is larger than any which has been annually appropriated since the Spanish-American war.

Pension Bill Before House

Washington, March 17.—Below is given the full text of Senator Borah's bill authorizing the use of not to exceed 50 per cent of the receipts from town lots on government irrigation projects, for the erection and equipment of schoolhouses, construction of sewer and water systems, etc. Mr. Borah believes that this bill will meet with general approval, as it has already been approved by the Reclamation Service. It differs from the Heyburn bill in that it makes an absolute donation of the money, whereas under the Heyburn bill the money must be repaid into the reclamation fund.

Becomes Bank Receiver

Washington, March 19.—The resignation of J. H. Edwards, assistant to the secretary of the treasury in charge of the financial bureau, which was tendered some time ago, will take effect tomorrow, when L. A. Coolidge, who has been confirmed by the senate, will take charge. Secretary Cortelyou said today that Mr. Edwards had decided to accept the re-employment of the New Amsterdam bank, of New York, which suspended during the late money stringency.

COAST STEAMER WRECKED.

Hits Rocks Off Fort Ross, Cal.—Passengers Land, Mail Lost.

Eureka, Cal., March 18.—The steamer Pomona of the Pacific Coast Steamship Company, struck a rock at 6:30 tonight off Fort Ross, 25 miles south of Port Arena. The vessel, which at the time of the disaster was en route from San Francisco to Eureka and was expected to arrive here tomorrow noon, managed to get off the reef and attempted to run for shore. When half a mile from the beach she struck another rock and is hanging there at the present time. The rising tide will probably wash her off into deep water and she will sink and be a total loss, with her cargo, including 102 bags of mail.

The 84 passengers and 62 members of the crew were saved and are now ashore at Fort Ross suffering from lack of food and shelter. They will pass a dreary night on the beach at the small Russian settlement.

SPERRY WILL COMMAND.

Schroeder and Wainwright to Become Rear Admirals.

Washington, March 18.—Rear-Admiral Charles S. Sperry will be commander-in-chief of the Atlantic battleship fleet when it leaves San Francisco in July to encircle the globe. This important detail was decided on by President Roosevelt and his cabinet today.

Rear Admiral Evans, at his personal request will be relieved of the command at the conclusion of the big naval review at San Francisco May 8. The admiral considers this the completion of the work he was assigned to do—take the Atlantic fleet to the Pacific Coast. Admiral Evans will retire in August. To Rear-Admiral Thomas comes the honor of commanding the fleet on its visit to Puget Sound and until the homeward journey begins. He has been second in command during the voyage and will retire in October.

These retirements will make of Rear-Admiral and these are to be filled by the advancement of Captain Seaton Schroeder and Captain Richard Wainwright, who will command respectively the third and fourth squadrons of the fleet, and Rear-Admiral Emory the second.

ST INFORD BOYS REVOLT.

Student Affairs Committee Punishes Leaders in Rowdysiam.

Palo Alto, Cal., March 18.—Stanford students are in open revolt tonight over the expulsion today of twelve students by the committee on student affairs and threaten to strike unless the men are immediately reinstated. The twelve were dropped for participating in a recent night demonstration, in which Chairman Clark of the student affairs committee was called upon and a parade of over 300 students invaded the university library, shouting their desire for a new committee, which will be less restrictive about student conduct.

The leaders of the parade were summoned before the student affairs committee today and summarily expelled. Among the number were Langan, the track captain, and Gay, the crew captain. The rest are all prominent in various university activities.

Tonight a giant mass meeting of students was held in Encina hall and steps were taken leading to the reinstatement of the expelled students. A petition addressed to the committee and signed by the remaining hundreds in the demonstration demands the reinstatement of the expelled members or their own expulsion.

A second petition addressed to President Jordan and signed by all the men in the university also urges the reinstatement of the expelled men. The students hold that the 12 were dismissed without sufficient reasons and are men of excellent reputation. In the event of the failure of these petitions, the student body pledges itself to withdraw from the university until its demands are acceded to.

French Beat Off Natives.

Paris, March 18.—A dispatch received here from General d'Amade, commander of the French forces in Morocco, says that upon the arrival of his column before Serrat, the notables of the Mzab tribe came out to surrender. General d'Amade reports that 2,000 tribesmen who recently attacked the French column were beaten off with heavy loss. The French infantry captured the enemy's camp at the point of the bayonet and burned a number of tents as a measure of repression. The French loss was insignificant.

Cleans Up San Francisco.

San Francisco, March 18.—The citizens' health committee has issued a report on the sanitary accomplishments of the past six weeks. From February 2 to March 14, 72,460 premises have been inspected; 884 premises have been disinfected; 171 houses have been destroyed; 54 buildings have been condemned; 17,564 nuisances have been abated and 56,994 rats have been destroyed. It is believed many more rats have been poisoned in the sewers.

Stolen Wealth Located.

El Paso, Tex., March 17.—A telegram from Juan A. Creel, manager of the Banco Minero, of Chihuahua, Mexico, to the local branch of that bank, received here today, says that the robbers who recently secured \$295,000 from the bank have been arrested and that the stolen money has been located but not yet recovered.

Tinplate Mills Resume.

Pittsburg, March 18.—Ten of the 20 mills of the American Sheet & Tinplate Company at South Sharon, Pa., have been placed in operation today, affording employment to 600 men. The Sharon mill will resume tomorrow, employing 1,000 men.

FRANCE IN MIX-UP WITH HAYTI

French Legation Accused of Protecting Revolutionists.

Haytian Government Summarily Executes Number of Alleged Revolutionists—France, Germany and Great Britain Working Together to Avoid Trouble.

Paris, March 17.—The situation between the Haytian government and France has become acute and critical. The French Legation at Port Au Prince is menaced and a general massacre of the white residents of the islands is feared. This information was conveyed in an official dispatch to the Foreign Office by M. Carteron, the French minister to Hayti.

The latter part of last week, M. Borno, the Haytian minister of state, assured M. Carteron that Hayti would agree to allow the refugees who had taken asylum in the French Consulates at Gonaives and St. Marc to leave the island.

This morning there came the news of the execution at Port Au Prince on Sunday of between 10 and 12 prominent persons on the charge of conspiracy against the government, together with a cablegram from M. Carteron announcing that General Nord Alexis the president of Hayti, had not only refused to confirm the assurances given M. Borno, but had flatly declined to permit the refugees in the consulates to depart.

Eleven additional persons have taken asylum at the French Legation. The French cruiser Destrees is expected very soon at Gonaives, where she will act in co-operation with the British and German ships of war now on their way to Hayti.

It is understood here that France, Germany and Great Britain are acting in accord in this matter.

General Antonor Plim, who led the last revolt of Hayti, is among the refugees under the French flag. The foreign office recognizes that the general and his followers are revolutionists but declines to hand them over to the Haytian government on the ground that there were no assurances that the men would have a legal trial. In this connection it was explained that, according to French tradition, any man who sought refuge under the French flag should have at least temporary protection.

The Temps has special from Port Au Prince saying that the local situation is grave. General Nord Alexis claims that the plot against him was hatched at the French Legation and an attack upon the Legation is feared, the correspondent says, because M. Carteron, the French minister, declines to deliver the refugees under the French agreement to the Haytian authorities.

A dispatch from Port Au Prince states that President Nord Alexis has consented to allow the refugees in the French Legation to leave the island but that henceforth rebels taking refuge in the Consulates will be removed by force if they are not surrendered.

The dispatch says it appears that the situation is likely to be still further complicated. Everyone dreads the possibility of a massacre of the Europeans by the Haytian troops on the arrival of the warships.

The dispatch declares that it is understood that Germany will take action if the government executes more rebels. President Nord Alexis, however, seems quite unmoved at the prospect of a naval demonstration. The total number of men executed is not given.

Immense Pension Appropriations.

Washington, March 17.—For the second time the house will consider the pension appropriation bill, that measure having been taken up today under an arrangement reached just before adjournment yesterday. The bill appropriates approximately \$150,864,000, the largest sum ever included in a pension appropriation bill. Some time was taken up by Langley, of Kentucky, in pleading for a pensionable status of certain Kentucky militiamen.

Cuts Price of Plate Glass.

Pittsburg, March 17.—The Pittsburg Plate Glass Company today announced an average reduction of 25 per cent in the price of plate glass. It is believed the reduction will stimulate the plate-glass business.

Anarchist Meeting Forbidden.

Philadelphia, March 17.—An anarchist meeting, advertised to be held tomorrow, will not be permitted, and another meeting which is to be held to celebrate the anniversary of the Paris Commune will be strongly policed.

Nations Sending Cruisers.

Berlin, March 17.—The German Admiralty has ordered the cruiser Bremen, at present at Curacao, to go to Port Au Prince, Hayti, to be at the disposal of the German minister for the protection of German subjects or other foreigners.

China Releases Tatsu Maru.

Hongkong, March 17.—The Japanese steamer Tatsu Maru, which was seized by the Chinese customs authorities at Macao for carrying arms and ammunition alleged to be intended for the use of Chinese revolutionists, was released today.

Reorganize Foundry Trust.

New York, March 17.—E. H. Gary, chairman of the board of directors of the United States Steel Corporation, made a statement to the stockholders of the American Steel Foundries Company at a meeting in Jersey City today advocating the reorganization plan proposed for the latter company.